

RESOLUTION NO. PC-16-53

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF COSTA MESA GIVE FIRST READING TO ORDINANCE 16- XX TO REZONE (R-16-02) A 23.4-ACRE SITE FROM INDUSTRIAL PARK (MP) TO PLANNED DEVELOPMENT COMMERCIAL (PDC) FOR THREE PARCELS LOCATED AT 1375 SUNFLOWER AVENUE AND 3370 HARBOR BOULEVARD AND ZONING CODE AMENDMENT CO-16-05 TO AMEND TITLE 13, CHAPTERS IV AND V RELATED TO DEVELOPMENT STANDARDS APPLICABLE TO THE OVERALL SITE

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Hoonie Kang of Kearny Real Estate, representing the property owner, TREH/Kearny Costa Mesa, LLC, requesting approval of the following:

- Rezone Application R-16-02: an ordinance to rezone a 23.4-acre site consisting of three parcels (APNs: 140-041-24, 140-041-40, 140-041-62) from Industrial Park (MP) to Planned Development Commercial (PDC) consistent with the 2015-2035 General Plan; and,
- Code Amendment CO-16-05: an amendment to Title 13, Chapters IV and V related to land use matrix, floor area ratios and Planned Development Commercial standards as related to the overall site.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 10, 2016 with all persons having the opportunity to speak and be heard for and against the proposal.

WHEREAS, the Planning Commission has reviewed all environmental documents and has found that the proposed rezone and zoning code amendments have been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures. As proposed, the proposal does not make any changes to the development limitations in the Planned Development Commercial zone with regard to trip budgets and development intensity specific to this site. All traffic impacts have been reviewed with the 2015-2035 General Plan EIR. No subsequent or supplemental EIR was required since no substantial changes were proposed and no new

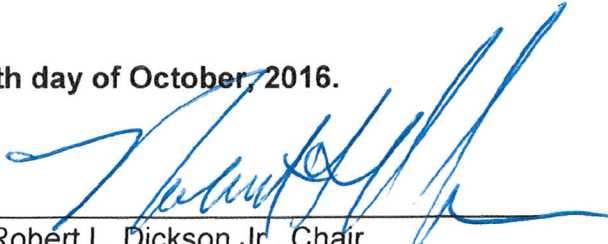
information was available demonstrating new significant impacts. There are no significant effects that are peculiar to the project or the parcel on which the project would be located. In addition, there are no new significant effects that were not in the General Plan EIR; no new off-site impacts or cumulative impacts that were not evaluated in the General Plan EIR, and no new environmental effects beyond those identified in the General Plan EIR. All mitigation measures in the General Plan EIR that are relevant or applicable to the project site (if any) would continue to apply. Therefore, the relevant environmental analysis contained in the City of Costa Mesa General Plan EIR SCH No. 2015111053, June 2016 is still valid, and no further environmental review is required.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, respectively, the Planning Commission hereby **RECOMMENDS THAT THE CITY COUNCIL:** Approve and give first reading to Ordinance No. 16-xx approving Rezone R-16-02 and Code Amendment CO-16-05.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Rezone R-16-02 and CO-16-05 and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval and/or mitigation measures.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the documents in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this 10th day of October, 2016.



Robert L. Dickson Jr., Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Jay Trevino, Acting Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on October 10, 2016 by the following votes:

AYES: Dickson, Mathews, McCarthy, Sesler, Andranian

NOES: None

ABSENT: None

ABSTAIN: None



Jay Trevino, Acting Secretary
Costa Mesa Planning Commission